

## CONSERVATION SUBDIVISIONS

### INTRODUCTION

Conservation Subdivisions are a means by which lots or dwelling units are grouped in close proximity to each other rather than spread evenly throughout a project as in a conventional subdivision. Clustering—provided it does not allow increases in planned densities—was identified as a draft policy to implement GP2020 Land Use Goal I: “A built environment that is compatible with and sensitive to its natural setting”<sup>1</sup>.

Under the provisions of a Conservation Subdivision, the project density (total number of lots) remains the same as in a conventional subdivision, but by using smaller lot sizes portions of the site are retained in open space. Although Conservation Subdivisions can occur in higher density residential neighborhoods (Village and Village Core), they are primarily an issue in Semi-Rural and Rural Lands where large, undeveloped parcels remain.

Staff presented the concept of Conservation Subdivisions to both the Interest Group and Steering Committee. The Interest Group submitted a proposed framework for Conservation Subdivision criteria (Table H-1), which they refer to as an Open Space Subdivision. The criteria framework is summarized below.

**Compliance** – Program would be voluntary for densities of 1 du/acre through 1 du/4 acres and mandatory for densities of 1 du/10 acres through 1 du/160 acres.

**Minimum Lot Size** – To allow maximum design flexibility, minimum sizes for individual lots range from 5,000 SF (approximately one-eighth acre) to 20,000 SF (approximately one-half acre), based on density category. The pictures below show existing homes on lots similar in size to the minimum lot sizes proposed by the Interest Group.



5,000 SF Lot



10,000 SF Lot



15,000 SF Lot



20,000 SF Lot

<sup>1</sup> General Plan 2020 Draft Goals and Policies – Amended by the Board of Supervisors 01/10/01

**Table H-1:**  
**Open Space Subdivision – Interest Group Proposal**

		DENSITY (DU per Acre)	MINIMUM LOT SIZE (Net)		MINIMUM OPEN SPACE LOT	
					% Total	Potential Uses
VOLUNTARY	SEMI-RURAL	1 DU/ACRE	5,000 SF		25%	Passive Recreation Non-Motorized Trails Native Landscaping Resource Preservation Project Mitigation/Buffers MSCP Agriculture Wells Water Storage Tanks Utilities Pump Stations
		1 DU/2 ACRE	5,000 SF		40%	
		1 DU/4 ACRE	10,000 SF		60%	
				MAXIMUM FOOTPRINT		
MANDATORY	RURAL LANDS	1 DU/10 ACRE	10,000 SF	2 AC	75%	
		1 DU/20 ACRE	15,000 SF	2 AC	82.5%	
		1 DU/40 ACRE	20,000 SF	5 AC	85%	
		1 DU/80 ACRE	20,000 SF	5 AC	90%	
		1 DU/160 ACRE	20,000 SF	5 AC	90%	

- Footprint would include driveways, internal circulation roads, community amenities (built features up to one-quarter acre), brush clearing, and septic systems but does not include access roads, water, or sewer. Leach fields and/or brush management may occur outside the footprint if necessary in the 1 DU/10 or 20-acre densities.
- Lots or footprint and/or remainder parcel would be located in the least environmentally sensitive contiguous area (as identified by RPO and BMO) on the site unless non-contiguous lots are less impactful.
- Design standards, tailored by community, would apply to open space subdivisions.
- Open Space would be permanently protected as a separate Open Space Lot.
- Subdivisions not meeting these standards would continue to have yield reductions and slope encroachment limits according to the resource standards applied (consistent with current ordinances).
- In areas of existing groves (for the last five years), and potentially other specified geographic areas, the minimum parcel size could be 20 acres in order to enhance long-term agricultural viability.
- A Remainder Parcel could be derived from either more effective clustering or from left over land from the infrastructure flex area.

**Minimum Open Space Percentage** – The requirement to permanently protect open space varies according to density category, ranging from 25 percent to 90 percent. The proposal also establishes allowable uses for the open space lot.

**Density Incentive** – Yield reductions for steep slopes would not be applied for an Open Space Subdivision.

Yield reductions for steep slopes are currently required in the Planned Residential Development (PRD) standards, Resource Protection Ordinance (RPO), Regional Land Use Element density categories (1) Residential, (17) Estate Residential, (18) Multiple Rural Use, (19) Intensive Agriculture, (23) National Forest and State Parks, and (24) Impact Sensitive, and are proposed in GP2020 for standard subdivisions in semi-rural densities. GP2020 land use criteria (which are very similar to existing standards) for determining yield on steep slopes could reduce the yield of a parcel by as much as 75 percent. Under the Interest Group proposal, subdivisions meeting approved standards for Conservation Subdivisions would not require yield reductions for slope.

Table H-2 compares the differences in yield of a 40-acre parcel under the existing General Plan with the Interest Group proposal to remove yield reductions for Open Space Subdivisions. As shown in the table, an Open Space Subdivision would yield twice as many lots in areas with slopes between 25 and 50 percent and would yield four times the number of lots in areas with slopes greater than 50 percent

**Table H-2:**  
**Maximum Yield for a 40-Acre Parcel**

<i>Category</i>	<i>Density (DU per Acre)</i>	<i>Slope &lt;25%</i>		<i>Slope 25 – 50%</i>		<i>Slope &gt; 50%</i>	
		<i>GP2020</i>	<i>IG Prop.</i>	<i>GP2020</i>	<i>IG Prop.</i>	<i>GP2020</i>	<i>IG Prop.</i>
SR-1	1 du/acre	40	40	20	40	10	40
SR-2	1 du/2 acres	20	20	10	20	5	20
SR-4	1 du/4 acres	10	10	5	10	2	10
SR-10	1 du/10 acres	4	4	2	4	2	4

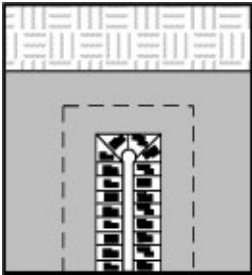
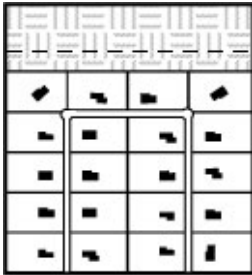
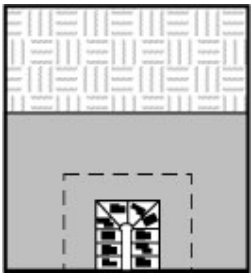
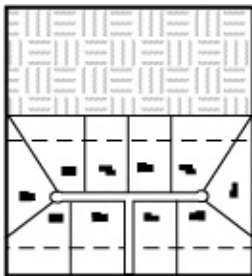
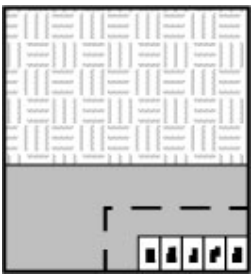
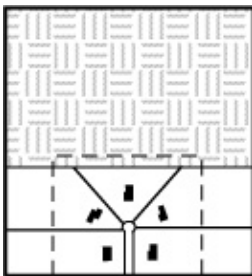
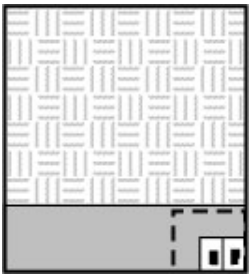
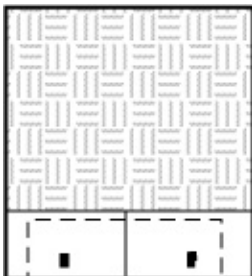
**Maximum Footprint** – Sets a maximum development footprint or size of disturbed area for lots in 1 du/10 acres through 1 du/160 acres.

**Design Guidelines** – Requires that design guidelines be established





**Permanent Open Space** – Open space set aside for the project would be permanent, with any development rights removed

**Remainder Parcel** – Allows a portion of the parcel to be land-banked for development post 2020, but would require a future general plan amendment. Developers who meet minimum lot size and minimum open space lot requirements could retain a remainder parcel that ranges between 16 and 62 percent of the entire parcel (see Table H-3).

**Table H-3:**  
**Conservation Subdivision – Development Analysis on Interest Group Proposal**

<i>Minimum Lot Size with Remainder</i>		<i>Lot Size without Remainder</i>
	<p><b>SR-1</b> (20-acre lot; &lt;25 percent slope)            Required Open Space – 25% (5 acres)</p> <p>Yield – 20 Lots</p> <p>Development Footprint</p> <ul style="list-style-type: none"> <li>• Lot Size = 5,000 SF</li> <li>• Infrastructure (30%)</li> </ul> <p>Remainder – 12 acres</p>	
	<p><b>SR-2</b> (20-acre lot; &lt;25 percent slope)            Required Open Space – 40% (8 acres)</p> <p>Yield – 10 Lots</p> <p>Development Footprint</p> <ul style="list-style-type: none"> <li>• Lot Size = 5,000 SF</li> <li>• Infrastructure (30%)</li> </ul> <p>Remainder – 10.5 acres</p>	
	<p><b>SR-4</b> (20-acre lot; &lt;25 percent slope)            Required Open Space – 60% (12 acres)</p> <p>Yield – 5 Lots</p> <p>Development Footprint</p> <ul style="list-style-type: none"> <li>• Lot Size = 10,000 SF</li> <li>• Infrastructure (30%)</li> </ul> <p>Remainder – 6.5 acres</p>	
	<p><b>SR-10</b> (20-acre lot; &lt;25 percent slope)            Required Open Space – 75% (15 acres)</p> <p>Yield – 2 Lots</p> <p>Development Footprint</p> <ul style="list-style-type: none"> <li>• Lot Size = 10,000 SF</li> <li>• Infrastructure (30%)</li> </ul> <p>Remainder – 4.4 acres</p>	

**LEGEND**

	Required Open Space
	Residential Lot with Dwelling Unit
	Fire Protection Buffer (100 Ft)
	Remaining Portion of Parcel

**Minimum Lot Size  
with Remainder****Lot Size without  
Remainder**

	<p><b>RL-20</b> (20-acre lot; &lt;25 percent slope) Required Open Space – 82.5% (16.5 acres) Yield – 1 Lot</p> <p>Development Footprint</p> <ul style="list-style-type: none"> <li>• Lot Size = 15,000 SF</li> <li>• Infrastructure (30%)</li> <li>Remainder – 3.1 acres</li> </ul>	
	<p><b>RL-40</b> (160-acre lot; &lt;25 percent slope) Required Open Space – 85% (136 acres) Yield – 4 Lots</p> <p>Development Footprint</p> <ul style="list-style-type: none"> <li>• Lot Size = 20,000 SF</li> <li>• Infrastructure (25%)</li> <li>Remainder – 21.7 acres</li> </ul>	
	<p><b>RL-80</b> (160-acre lot; &lt;25 percent slope) Required Open Space – 90% (144 acres) Yield – 2 Lots</p> <p>Development Footprint</p> <ul style="list-style-type: none"> <li>• Lot Size = 20,000 SF</li> <li>• Infrastructure (25%)</li> <li>Remainder – 14.9 acres</li> </ul>	
	<p><b>RL-160</b> (160-acre lot; &lt;25 percent slope) Required Open Space – 90% (144 acres) Yield – 4 Lots</p> <p>Development Footprint</p> <ul style="list-style-type: none"> <li>• Lot Size = 20,000 SF</li> <li>• Infrastructure (25%)</li> <li>Remainder – 15.4 acres</li> </ul>	

**LEGEND**

	Required Open Space
	Residential Lot with Dwelling Unit
	Fire Protection Buffer (100 Ft)
	Remaining Portion of Parcel

## STEERING COMMITTEE STATUS

In 2000, the Steering Committee endorsed a policy that clustering may be used provided it does not allow increases in planned densities. Concepts for Conservation Subdivisions and clustering were presented to the Steering Committee on several occasions in late 2002 and early 2003.

In an effort to obtain a Steering Committee proposal on Conservation Subdivisions, in January 2004, the Interest Group's proposed Conservation Subdivision criteria framework was presented to the Steering Committee. The Committee was broken up into subgroups to evaluate the Interest Group proposal and to develop a Steering Committee proposal. Prior to formulating a Steering Committee proposal, the representatives wanted the opportunity to discuss Conservation Subdivisions within their planning groups.

In March, the Steering Committee met to address Conservation Subdivisions. Although the positions expressed by Steering Committee representatives varied, there was general agreement that the Interest Group proposal raised several issues. The Steering did not support the following components of the Interest Group proposal:

- Allowing clustering to occur "By Right", without the ability to respond to the unique set of circumstances of each individual parcel
- Allowing yield reductions for steep slopes to be avoided
- Incorporating remainder parcels that could be land-banked for development post GP2020
- Use of county-wide, rather than community-specific minimum lot sizes
- Minimum lot sizes as small as 5,000 square feet
- Standardized open space requirements that do not reflect the specific environmental constraints of the site

The objections to Conservation Subdivisions raised by Steering Committee representatives proved to be significant. At the March 27<sup>th</sup> meeting, the committee unanimously voted not to support Conservation Subdivisions. Although many representatives were not opposed to clustered developments for their communities, they felt that the problems with current codes and ordinances should be fixed, rather than writing a new ordinance. Steering Committee representatives were asked to review the current codes and ordinances that address clustering with their individual planning groups. Then, at the next Steering Committee meeting, the representatives will be asked to recommend improvements to these codes and ordinances.

Once a recommendation from the Steering Committee is made, staff will evaluate that recommendation, along with the Interest Group proposal, and present a staff recommendation to the Steering Committee, Interest Group, and Board of Supervisors.